

TENTATIVE RULINGS for CIVIL LAW and MOTION

March 4, 2010

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6941

TENTATIVE RULING

Case: **Davis Group v. Murray**
 Case No. CV PT 10-39

Hearing Date: **March 4, 2010** **Department Fifteen** **9:00 a.m.**

Davis Group's petition for injunction is **GRANTED**. (Civ. Code, §§ 798.87 & 798.88; Dec of Heape 1-8, 16-18, Exhibits 1-10; Dec. of Goodall ¶¶ 1-2, 5-10; Supp. Dec. of Goodall ¶¶ 1-7; Dec. of Chambers ¶ 1-21; 23, 31-32, 34-35; Dec. of Sharlie Haines ¶¶ 1-9; Dec. of Lonnie Haines ¶¶ 1-9; Dec. of Eifler ¶¶ 1-10; Dec. of Slichter ¶¶ 1-7.) The Court finds by clear and convincing evidence that Respondents, by keeping "Dixie" at their mobilehome, are continuing to violate the reasonable rules and regulations of Royal Oaks Mobilehome Park that no more than two pets will be allowed per mobilehome, and prior written permission must be obtained from Park Management prior to owning a pet. The Court also finds that Respondents and "Dixie" did not fully comply with the rules and regulations when "Dixie" bit a resident and growled at another resident and the current Park manager.

Respondents' objections to paragraphs 3 and 4 of the Declaration of Rhonda Goodall, paragraphs 9-14 of the Declaration of Linda Heape, except as exhibits 7-10, paragraphs 11, 22, 24, 25, 26, 28, 29, 31 and Exhibit 3 of the Declaration of Ms. Chambers, and paragraph 5 of the Declaration of Marlene Slichter, "She obviously does not like you!! are **SUSTAINED**. All other objections are **OVERRULED**.

The Court notes that Petitioner's reply papers were filed two days late and Respondents' papers were written on both sides of the paper in violation of California Rule of Court, rule 2.102. The Court will not consider late-filed papers or papers that are written on both sides in the future.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.